



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2012 REGULAR SESSION

HOUSE BILL NO. 278

TUESDAY, JANUARY 31, 2012

The following bill was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED
DATE April 11, 2012
1:21 p.m.
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Mary Sue Helms

1 AN ACT relating to reorganization.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 →Section 1. KRS 12.020 is amended to read as follows:

4 Departments, program cabinets and their departments, and the respective major
5 administrative bodies that they include are enumerated in this section. It is not intended
6 that this enumeration of administrative bodies be all-inclusive. Every authority, board,
7 bureau, interstate compact, commission, committee, conference, council, office, or any
8 other form of organization shall be included in or attached to the department or program
9 cabinet in which they are included or to which they are attached by statute or statutorily
10 authorized executive order; except in the case of the Personnel Board and where the
11 attached department or administrative body is headed by a constitutionally elected officer,
12 the attachment shall be solely for the purpose of dissemination of information and
13 coordination of activities and shall not include any authority over the functions,
14 personnel, funds, equipment, facilities, or records of the department or administrative
15 body.

16 I. Cabinet for General Government - Departments headed by elected officers:

- 17 1. The Governor.
- 18 2. Lieutenant Governor.
- 19 3. Department of State.
 - 20 (a) Secretary of State.
 - 21 (b) Board of Elections.
 - 22 (c) Registry of Election Finance.
- 23 4. Department of Law.
 - 24 (a) ~~Attorney General~~ ^{Attorney General}.
- 25 5. ~~Department of the~~ Treasury.
 - 26 (a) Treasurer.
- 27 6. Department of Agriculture.

1 (a) Commissioner of Agriculture.

2 (b) Kentucky Council on Agriculture.

3 7. Auditor of Public Accounts.

4 II. Program cabinets headed by appointed officers:

5 1. Justice and Public Safety Cabinet:

6 (a) Department of Kentucky State Police.

7 (b) Department of Criminal Justice Training.

8 (c) Department of Corrections.

9 (d) Department of Juvenile Justice.

10 (e) Office of the Secretary.

11 (f) Office of Drug Control Policy.

12 (g) Office of Legal Services.

13 (h) Office of the Kentucky State Medical Examiner.

14 (i) Parole Board.

15 (j) Kentucky State Corrections Commission.

16 (k) Office of Legislative and Intergovernmental Services.

17 (l) Office of Management and Administrative Services.

18 (m) Office of Investigations.

19 (n) Department for Public Advocacy.

20 2. Education and Workforce Development Cabinet:

21 (a) Office of the Secretary:

22 1. Governor's Scholars Program

23 (b) Office of Legal and Legislative Services.

24 1. Client Assistance Program.

25 (c) Office of Communication.

26 (d) Office of Budget and Administration.

27 1. Division of Human Resources.

- 1 2. Division of Administrative Services.
- 2 3. Division of Technology Services.
- 3 (e) Office of Educational Programs.
- 4 (f) Board of Directors for the Center for School Safety.
- 5 (g) Council on Postsecondary Education.
- 6 1. Foundation for Adult Education.
- 7 (h) Department of Education.
- 8 1. Kentucky Board of Education.
- 9 (i) Department for Libraries and Archives.
- 10 (j) Department of Workforce Investment.
- 11 1. Office for the Blind.
- 12 2. Office of Vocational Rehabilitation.
- 13 3. Office of Career and Technical Education.
- 14 4. Office of Employment and Training.
- 15 (k) Foundation for Workforce Development.
- 16 (l) Kentucky Office for the Blind State Rehabilitation Council.
- 17 (m) Kentucky Technical Education Personnel Board.
- 18 (n) Kentucky Workforce Investment Board.
- 19 (o) Statewide Council for Vocational Rehabilitation.
- 20 (p) Statewide Independent Living Council.
- 21 (q) Unemployment Insurance Commission.
- 22 (r) Education Professional Standards Board.
- 23 1. Division of Educator Preparation.
- 24 2. Division of Certification.
- 25 3. Division of Professional Learning and Assessment.
- 26 4. Division of Legal Services.
- 27 (s) Kentucky Commission on the Deaf and Hard of Hearing.

- 1 (t) Kentucky Educational Television.
- 2 (u) Kentucky Environmental Education Council.
- 3 3. Energy and Environment Cabinet:
- 4 (a) Office of the Secretary.
 - 5 1. Office of Legislative and Intergovernmental Affairs.
 - 6 2. Office of General Counsel.
 - 7 a. Environmental Protection Legal Division.
 - 8 3. Office of Administrative Hearings.
 - 9 4. Mine Safety Review Commission.
 - 10 5. Kentucky State Nature Preserves Commission.
 - 11 6. Kentucky Environmental Quality Commission.
 - 12 7. Kentucky Public Service Commission.
- 13 (b) Department for Environmental Protection.
 - 14 1. Office of the Commissioner.
 - 15 2. Division for Air Quality.
 - 16 3. Division of Water.
 - 17 4. Division of Environmental Program Support.
 - 18 5. Division of Waste Management.
 - 19 6. Division of Enforcement.
 - 20 7. Division of Compliance Assistance.
- 21 (c) Department for Natural Resources.
 - 22 1. Office of the Commissioner.
 - 23 2. Division of Technical and Administrative Support.
 - 24 3. Division of Mine Permits.
 - 25 4. Division of Mine Reclamation and Enforcement.
 - 26 5. Division of Abandoned Mine Lands.
 - 27 6. Division of Oil and Gas.

1 7. Office of Mine Safety and Licensing.

2 8. Division of Forestry.

3 9. Division of Conservation.

4 (d) Department for Energy Development and Independence.

5 1. Division of Efficiency and Conservation.

6 2. Division of Renewable Energy.

7 3. Division of Biofuels.

8 4. Division of Energy Generation Transmission and Distribution.

9 5. Division of Carbon Management.

10 6. Division of Fossil Energy Development.

11 4. Public Protection Cabinet.

12 (a) Office of the Secretary.

13 1. Office of Communications and Public Outreach.

14 2. Office of Legal Services.

15 a. Insurance Legal Division.

16 b. Charitable Gaming Legal Division.

17 c. Alcoholic Beverage Control Legal Division.

18 d. Housing, Buildings and Construction Legal Division.

19 e. Financial Institutions Legal Division.

20 (b) Crime Victims Compensation Board.

21 (c) Board of Claims.

22 (d) Kentucky Board of Tax Appeals.

23 (e) Kentucky Boxing and Wrestling Authority.

24 (f) Kentucky Horse Racing Commission.

25 1. Division of Licensing.

26 2. Division of Incentives and Development.

27 3. Division of Veterinary Services.

- 1 4. Division of Security and Enforcement.
- 2 (g) Department of Alcoholic Beverage Control.
- 3 1. Division of Distilled Spirits.
- 4 2. Division of Malt Beverages.
- 5 3. Division of Enforcement.
- 6 (h) Department of Charitable Gaming.
- 7 1. Division of Licensing and Compliance.
- 8 2. Division of Enforcement.
- 9 (i) Department of Financial Institutions.
- 10 1. Division of Depository Institutions.
- 11 2. Division of Non-Depository Institutions.
- 12 3. Division of Securities.
- 13 (j) Department of Housing, Buildings and Construction.
- 14 1. Division of Fire Prevention.
- 15 2. Division of Plumbing.
- 16 3. Division of Heating, Ventilation, and Air Conditioning.
- 17 4. Division of Building Code Enforcement.
- 18 (k) Department of Insurance.
- 19 1. Property and Casualty Division.
- 20 2. Health and Life Division.
- 21 3. Division of Financial Standards and Examination.
- 22 4. Division of Agent Licensing.
- 23 5. Division of Insurance Fraud Investigation.
- 24 6. Consumer Protection Division.
- 25 7. Division of Kentucky Access.
- 26 (l) Office of Occupations and Professions.
- 27 5. Labor Cabinet.

- 1 (a) Office of the Secretary.
 - 2 1. Division of Management Services.
 - 3 2. Office of General Counsel.
- 4 (b) Office of General Administration and Program Support for Shared
5 Services.
 - 6 1. Division of Human Resource Management.
 - 7 2. Division of Fiscal Management.
 - 8 3. Division of Budgets.
 - 9 4. Division of Information Services.
- 10 (c) Office of Inspector General for Shared Services.
- 11 (d) Department of Workplace Standards.
 - 12 1. Division of Employment Standards, Apprenticeship, and
13 Mediation.
 - 14 2. Division of Occupational Safety and Health Compliance.
 - 15 3. Division of Occupational Safety and Health Education and
16 Training.
 - 17 4. Division of Workers' Compensation Funds.
- 18 (e) Department of Workers' Claims.
 - 19 1. Office of General Counsel for Workers' Claims.
 - 20 2. Office of Administrative Law Judges.
 - 21 3. Division of Claims Processing.
 - 22 4. Division of Security and Compliance.
 - 23 5. Division of Information and Research.
 - 24 6. Division of Ombudsman and Workers' Compensation Specialist
25 Services.
 - 26 7. Workers' Compensation Board.
 - 27 8. Workers' Compensation Advisory Council.

- 1 9. Workers' Compensation Nominating Commission.
- 2 (f) Workers' Compensation Funding Commission.
- 3 (g) Kentucky Labor-Management Advisory Council.
- 4 (h) Occupational Safety and Health Standards Board.
- 5 (i) Prevailing Wage Review Board.
- 6 (j) Apprenticeship and Training Council.
- 7 (k) State Labor Relations Board.
- 8 (l) Employers' Mutual Insurance Authority.
- 9 (m) Kentucky Occupational Safety and Health Review Commission.
- 10 6. Transportation Cabinet:
- 11 (a) Department of Highways.
 - 12 1. Office of Project Development.
 - 13 2. Office of Project Delivery and Preservation.
 - 14 3. Office of Highway Safety.
 - 15 4. Highway District Offices One through Twelve.
- 16 (b) Department of Vehicle Regulation.
- 17 (c) Department of Aviation.
- 18 (d) Department of Rural and Municipal Aid.
 - 19 1. Office of Local Programs.
 - 20 2. Office of Rural and Secondary Roads.
- 21 (e) Office of the Secretary.
 - 22 1. Office of Public Affairs.
 - 23 2. Office for Civil Rights and Small Business Development.
 - 24 3. Office of Budget and Fiscal Management.
 - 25 4. Office of Inspector General.
- 26 (f) Office of Support Services.
- 27 (g) Office of Transportation Delivery.

- 1 (h) Office of Audits.
- 2 (i) Office of Human Resource Management.
- 3 (j) Office of Information Technology.
- 4 (k) Office of Legal Services.
- 5 7. Cabinet for Economic Development:
- 6 (a) Office of Administration and Support.
- 7 (b) Department for New Business Development.
- 8 (c) Department of Financial Incentives.
- 9 (d) Department for Existing Business Development.
- 10 (e) Tobacco Research Board.
- 11 (f) Kentucky Economic Development Finance Authority.
- 12 (g) Office of Research and Information Technology.
- 13 (h) Department of Commercialization and Innovation.
- 14 (i) Office of Legal Services.
- 15 (j) Commission on Small Business Advocacy.
- 16 8. Cabinet for Health and Family Services:
- 17 (a) Department for Public Health.
- 18 (b) Department for Medicaid Services.
- 19 (c) Department for Mental Health and Mental Retardation Services.
- 20 (d) Kentucky Commission for Children with Special Health Care Needs.
- 21 (e) Office of Health Policy.
- 22 (f) Office of the Secretary.
- 23 (g) Office of Legal Services.
- 24 (h) Office of Inspector General.
- 25 (i) Office of Legislative and Public Affairs.
- 26 (j) Department for Community Based Services.
- 27 (k) Department for Disability Determination Services.

- 1 (l) Office of the Ombudsman.
- 2 (m) Department for Human Support Services.
- 3 (n) Kentucky Commission on Community Volunteerism and Service.
- 4 (o) Office of Fiscal Services.
- 5 (p) Office of Human Resource Management.
- 6 (q) Office of Technology.
- 7 (r) Office of Contract Oversight.
- 8 (s) Governor's Office of Wellness and Physical Activity.
- 9 (t) Department for Aging and Independent Living.
- 10 9. Finance and Administration Cabinet:
- 11 (a) Office of General Counsel.
- 12 (b) Office of the Controller.
- 13 (c) Office of Administrative Services.
- 14 (d) Office of Public Information.
- 15 (e) Office of Policy and Audit.
- 16 (f) Department for Facilities and Support Services.
- 17 (g) Department of Revenue.
- 18 (h) Commonwealth Office of Technology.
- 19 (i) State Property and Buildings Commission.
- 20 (j) Office of Equal Employment Opportunity and Contract Compliance.
- 21 (k) Kentucky Employees Retirement Systems.
- 22 (l) Commonwealth Credit Union.
- 23 (m) State Investment Commission.
- 24 (n) Kentucky Housing Corporation.
- 25 (o) Kentucky Local Correctional Facilities Construction Authority.
- 26 (p) Kentucky Turnpike Authority.
- 27 (q) Historic Properties Advisory Commission.

- 1 (r) Kentucky Tobacco Settlement Trust Corporation.
- 2 (s) Kentucky Higher Education Assistance Authority.
- 3 (t) Kentucky River Authority.
- 4 (u) Kentucky Teachers' Retirement System Board of Trustees.
- 5 (v) Executive Branch Ethics Commission.

6 10. Tourism, Arts and Heritage Cabinet:

- 7 (a) Kentucky Department of Travel and Tourism.
 - 8 (1) Division of Tourism Services.
 - 9 (2) Division of Marketing and Administration.
 - 10 (3) Division of Communications and Promotions.
- 11 (b) Kentucky Department of Parks.
 - 12 (1) Division of Information Technology.
 - 13 (2) Division of Human Resources.
 - 14 (3) Division of Financial Operations.
 - 15 (4) Division of Facilities Management.
 - 16 (5) Division of Facilities Maintenance.
 - 17 (6) Division of Customer Services.
 - 18 (7) Division of Recreation.
 - 19 (8) Division of Golf Courses.
 - 20 (9) Division of Food Services.
 - 21 (10) Division of Rangers.
 - 22 (11) Division of Resort Parks.
 - 23 (12) Division of Recreational Parks and Historic Sites.
- 24 (c) Department of Fish and Wildlife Resources.
 - 25 (1) Division of Law Enforcement.
 - 26 (2) Division of Administrative Services.
 - 27 (3) Division of Engineering.

- 1 (4) Division of Fisheries.
- 2 (5) Division of Information and Education.
- 3 (6) Division of Wildlife.
- 4 (7) Division of Public Affairs.
- 5 (d) Kentucky Horse Park.
- 6 (1) Division of Support Services.
- 7 (2) Division of Buildings and Grounds.
- 8 (3) Division of Operational Services.
- 9 (e) Kentucky State Fair Board.
- 10 (1) Office of Administrative and Information Technology Services.
- 11 (2) Office of Human Resources and Access Control.
- 12 (3) Division of Expositions.
- 13 (4) Division of Kentucky Exposition Center Operations.
- 14 (5) Division of Kentucky International Convention Center.
- 15 (6) Division of Public Relations and Media.
- 16 (7) Division of Venue Services.
- 17 (8) Division of Personnel Management and Staff Development.
- 18 (9) Division of Sales.
- 19 (10) Division of Security and Traffic Control.
- 20 (11) Division of Information Technology.
- 21 (12) Division of the Louisville Arena.
- 22 (13) Division of Fiscal and Contract Management.
- 23 (14) Division of Access Control.
- 24 (f) Office of the Secretary.
- 25 (1) Office of Finance.
- 26 (2) Office of Research and Administration.
- 27 (3) Office of Governmental Relations and Tourism Development.

- 1 (4) Office of the Sports Authority.
- 2 (5) Kentucky Sports Authority.
- 3 (g) Office of Legal Affairs.
- 4 (h) Office of Human Resources.
- 5 (i) Office of Public Affairs and Constituent Services.
- 6 (j) Office of Creative Services.
- 7 (k) Office of Capital Plaza Operations.
- 8 (l) Office of Arts and Cultural Heritage.
- 9 (m) Kentucky African-American Heritage Commission.
- 10 (n) Kentucky Foundation for the Arts.
- 11 (o) Kentucky Humanities Council.
- 12 (p) Kentucky Heritage Council.
- 13 (q) Kentucky Arts Council.
- 14 (r) Kentucky Historical Society.
- 15 (1) Division of Museums.
- 16 (2) Division of Oral History and Educational Outreach.
- 17 (3) Division of Research and Publications.
- 18 (4) Division of Administration.
- 19 (s) Kentucky Center for the Arts.
- 20 (1) Division of Governor's School for the Arts.
- 21 (t) Kentucky Artisans Center at Berea.
- 22 (u) Northern Kentucky Convention Center.
- 23 (v) Eastern Kentucky Exposition Center.
- 24 11. Personnel Cabinet:
- 25 (a) Office of the Secretary.
- 26 (b) Department for Personnel Administration.
- 27 (c) Office for Employee Relations.

- 1 (d) Kentucky Public Employees Deferred Compensation Authority.
- 2 (e) Office of Administrative Services.
- 3 (f) Office of Legal Services.
- 4 (g) Office of Government Training.
- 5 (h) Department for Employee Insurance.

6 III. Other departments headed by appointed officers:

- 7 1. Department of Military Affairs.
- 8 2. Department for Local Government.
- 9 3. Kentucky Commission on Human Rights.
- 10 4. Kentucky Commission on Women.
- 11 5. Department of Veterans' Affairs.
- 12 6. Kentucky Commission on Military Affairs.
- 13 7. Office of Minority Empowerment.
- 14 8. Governor's Council on Wellness and Physical Activity.

15 ➔Section 2. KRS 12.023 is amended to read as follows:

16 The following organizational units and administrative bodies shall be attached to the
17 Office of the Governor:

- 18 (1) Department of Military Affairs;
- 19 (2) Department for Local Government;
- 20 (3) Kentucky Commission on Human Rights;
- 21 (4) Kentucky Commission on Women;
- 22 (5) Kentucky Commission on Military Affairs;
- 23 (6)~~[(8)] Governor's Scholars Program;~~
- 24 ~~(7)]~~ Agricultural Development Board;
- 25 ~~(7)]~~~~(8)]~~ Kentucky Agricultural Finance Corporation;
- 26 ~~(8)]~~~~(9)]~~ Office of Minority Empowerment;
- 27 (a) The Martin Luther King Commission;

- 1 ~~(9)~~~~(10)~~ Office of Homeland Security; and
 2 ~~(10)~~~~(11)~~ Governor's Council on Wellness and Physical Activity.

3 ➔Section 3. KRS 158.796 is amended to read as follows:

4 (1) The Governor's Scholars Program is established to implement an enrichment
 5 program for academically gifted students to enhance the next generation of civic
 6 and economic leaders and create models of educational excellence. Governor's
 7 Scholars Program, Inc. is authorized to operate the Governor's Scholars Program.
 8 The Governor's Scholars Program shall be attached to the Office of the Secretary in
 9 the Education and Workforce Development Cabinet~~Governor~~ for administrative
 10 purposes.

11 (2) (a) The Governor or the Governor's designee from the executive cabinet, the
 12 commissioner of education, and the president of the Council on Postsecondary
 13 Education shall serve as ex officio voting members of the board of directors of
 14 Governor's Scholars Program, Inc. In addition, the Governor shall appoint five
 15 (5) members of the board as provided in paragraph (b) of this subsection.
 16 Other board members of Governor's Scholars Program, Inc. shall be selected
 17 in the manner set forth in the articles of incorporation and bylaws of the
 18 corporation.

19 (b) After June 20, 2005, the Governor shall appoint board members as follows:

- 20 1. In 2005, the Governor shall appoint two (2) board members to serve
 21 three (3) year terms;
- 22 2. In 2006, the Governor shall appoint two (2) members to serve three (3)
 23 year terms; and
- 24 3. In 2007, the Governor shall appoint one (1) member to serve a three (3)
 25 year term.

26 Members appointed by the Governor may be reappointed by the Governor to
 27 serve successive terms. In making gubernatorial appointments, the Governor

1 shall consider recommendations and information provided by the nominating
2 committee of the board and shall attempt to promote geographic balance on
3 the board. One (1) of the gubernatorial appointees shall be designated by the
4 board to serve on the committee that functions as the executive committee of
5 Governor's Scholars Program, Inc. The Governor shall make appointments to
6 fill gubernatorial vacancies as they occur. Each appointment after the initial
7 appointment shall be for a three (3) year term unless the appointment is to fill
8 the unexpired portion of a term.

9 (c) The board of directors shall have the authority to hire, fire, and manage all
10 program personnel, including the executive director.

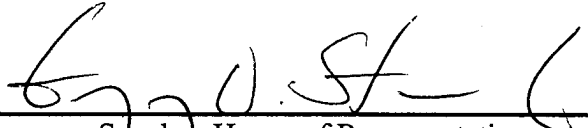
11 (3) The annual appropriation for the Governor's Scholars Program from the general
12 fund shall be transmitted to Governor's Scholars Program, Inc. on July 1 of each
13 year to facilitate the operation of the summer program. Funds shall be used only for
14 the purposes of the Governor's Scholars Program and shall not lapse at the end of
15 the fiscal year.

16 (4) (a) Governor's Scholars Program, Inc. shall follow standard accounting practices
17 and shall submit the following financial reports to the Office of the Governor,
18 the Finance and Administration Cabinet, and the Legislative Research
19 Commission:

- 20 1. Quarterly reports of expenditures of state funds, submitted on or before
21 the thirtieth day after the end of each quarter in the corporation's fiscal
22 year;
- 23 2. Annual reports of receipts and expenditures for the Governor's Scholars
24 Program, submitted on or before the sixtieth day after the end of the
25 fiscal year of the corporation; and
- 26 3. The report of an annual financial audit conducted by an independent
27 auditor, submitted on or before September 1 of each year.

1 (b) On or before March 1 of each year, Governor's Scholars Program, Inc. shall
2 file with the Office of the Governor, the Finance and Administration Cabinet,
3 and the Legislative Research Commission a report detailing the operations of
4 the Governor's Scholars Program for the preceding year. The report shall
5 include information concerning the summer program, student and faculty
6 demographics, and program outcomes according to such measures of success
7 as the board may adopt.


8 ➔Section 4. The General Assembly confirms Executive Order 2011-355, dated
9 May 19, 2011, to the extent it is not otherwise confirmed or superseded by this Act.



Speaker-House of Representatives



President of Senate

Attest: 

Chief Clerk of House of Representatives

Approved 

Governor

Date 4-11-12